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**REQUEST
FOR
CONTINUED EXAMINATION
(RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/379,540
Filing Date	August 24, 1999
First Named Inventor	Shlomo Ben-Haim
Group Art Unit	3736
Examiner Name	Roz Ghafoorian
Attorney Docket Number	BIO-76

#13
AKERS
8/20/02

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other

3. Fees - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **10-0750**.
- i. ☒ RCE fee is required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (print/type)	Louis J. Capezzuto	Registration No.	37,107
Signature		Date	July 31, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

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Signature			

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Docket No. BIQ-76

#14C
ALDERS
8/20/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shlomo Ben-Haim et al.
Serial No. : 09/379,540
Filed : August 24, 1999
Title : INTRACARDIAC CELL DELIVERY AND CELL
TRANSPLANTATION

Art Unit : 3736
Examiner : Roz Ghafoorian

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July 31, 2002

(Date of Deposit)

Louis J. Capezzuto

(Name of applicant, assignee, or Registered Representative)

(Signature)

July 31, 2002

(Date of Signature)

Honorable Commissioner of Patents
Washington, D.C. 20231

AMENDMENT

Dear Sir:

In response to the Office Action of May 2, 2002, please amend the above-identified
application as follows:

In the Claims:

Please amend Claim 1 as follows:

Claim 1. (Twice Amended) A method for delivering a cell to a heart of a patient comprising
the steps of: